

FISCAL NOTE
HB 2602 - SB 2930

February 13, 2004

SUMMARY OF BILL: Prohibits physicians, osteopathic physicians, physicians assistants, nurse practitioners, dentists and dental assistants from dispensing, prescribing or distributing prescription drugs to a minor without the permission of a parent, guardian or a court order. Violation of this provision would be grounds for denial, suspension or revocation of license or other disciplinary actions.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact:

- **Jeopardizes federal funding exceeding \$6,000,000 in the Department of Health and TennCare for family planning services.**
- **Potential increase in state expenditures for any lengthier periods of hospitalization that may result from postponed medical treatment.**

Estimate assumes:

- The Department of Health will lose federal funding in the amount of \$5,900,000 for family planning services. Federal rules explicitly require services be offered to minors without the permission of parents or guardians. The *Program Guidelines for Project Grants for Family Planning Services* (January, 2001), provide that family planning "projects may not require written consent of parents or guardians for the provision of services to minors. Nor can the project notify parents or guardians before or after a minor has requested and received Title X family planning services." According to the department, this would reduce the current caseload by about 50%. State statutes allow health professionals to provide services to minors without permission for prenatal care and sexually transmitted diseases.
- Federal law requires Medicaid programs to provide family planning services to individuals of childbearing age who are eligible for TennCare. The potential loss in federal funding to TennCare cannot be determined but is estimated to exceed \$100,000.
- Patients may incur longer additional stays in the Department of Mental Health and Developmental Disabilities because of the inability to promptly receive treatment when a parent or guardian is not available to approve treatment. According to MHDD, postponing treatment will lead to lengthier hospital stays. The department received 482 admissions in 2003 of persons between 16 and 18 years of age. The majority of these admissions were made without the presence of a parent or guardian.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director